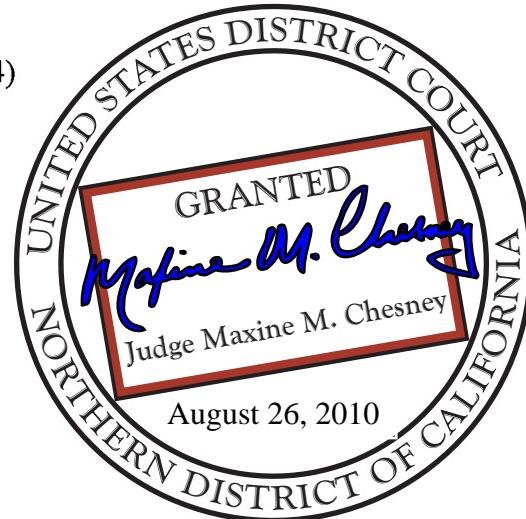


1 BAKER BOTTS L.L.P.
2 Kevin E. Cadwell (SBN 255794)
3 Melissa Armstrong, *pro hac vice* (TX SBN 24050234)
4 620 Hansen Way
5 Palo Alto, CA 94304
Phone: (650) 739-7500
Fax: (650) 739-7699
Email: kevin.cadwell@bakerbotts.com
Email: melissa.armstrong@bakerbotts.com

6 Attorneys for Defendants
7 OPENTV CORP., LIBERTY MEDIA CORP.,
AND WINK COMMUNICATIONS INC.

8 John L. Berman
749 Sunshine Drive
9 Los Altos, CA 94024
Telephone: (650) 950-7879
10 Plaintiff in pro per



11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 JOHN BERMAN,

15 Plaintiff,

16 v.

17 OPENTV CORP., LIBERTY MEDIA
18 CORPORATION, WINK
19 COMMUNICATIONS, INC., and DOES 1-30,

20 Defendants.

21 Case No. C 09-04065 MMC

22 **NOTICE OF CONTINUANCE OF
HEARING ON OPENTV CORP.'S,
LIBERTY MEDIA CORP.'S, AND WINK
COMMUNICATIONS INC.'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT**

23 **JURY TRIAL DEMANDED**

24 The Honorable Maxine M. Chesney
United States District Magistrate Judge
Courtroom 7, 19th Floor

25 Pursuant to Local Rule 7-7, Plaintiff John Berman and Defendants OpenTV Corp., Liberty
Media Corporation, and Wink Communications, Inc. respectfully submit the following Notice of
Continuance of Hearing on Defendants' Motion for Partial Summary Judgment.

26 On August 20, 2010, Defendants OpenTV Corp., Liberty Media Corp. and Wink
27 Communications Inc. filed a Notice of Motion and Motion for Partial Summary Judgment.
28 Defendants' Motion is set currently for hearing September 24, 2010 at 9:00 a.m.

1 Plaintiff John Berman states that he has a conflict on September 24, 2010 and is unable to
2 attend the hearing at that time. Good cause exists to modify the hearing date, and Plaintiff states
3 that this request is not made for the purposes of delay. The parties further have conflicts October
4 1, 2010.

5 Accordingly, the parties have agreed to continue the hearing on Defendants' Motion until
6 **October 8, 2010 at 9:00 a.m.** The parties have further agreed that Plaintiff's opposition to the
7 Motion will be due September 10, 2010, and Defendants' reply will be due September 24, 2010.

8 A proposed order continuing the hearing is attached.
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2 DATED: August 26, 2010
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Respectfully submitted,

BAKER BOTTS L.L.P.

5 By: 

Kevin E. Cadwell
Attorneys for Open TV Corp.,
Liberty Media Corporation and
Wink Communications, Inc.

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8 John Berman, Plaintiff in pro per
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